

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WALKER DIGITAL, LLC,

Plaintiff,

V.

C.A. No. 11-313-SLR

FACEBOOK, INC., FANDANGO, INC.
EXPEDIA, INC., FROM YOU FLOWERS, LLC,
ELITE TOY STORE, INC., FAST
FURNISHINGS, INC., AMAZON.COM, INC.,
EBAY, INC., AMERICAN AIRLINES, INC. and
ZAPPOS.COM, INC.,

JURY TRIAL DEMANDED

Defendants.

**DEFENDANT AMAZON.COM, INC.'S AND DEFENDANT
ZAPPOS.COM, INC.'S MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Amazon.com, Inc. and Zappos.com, Inc. respectfully move to dismiss this case for failure to state a claim upon which relief can be granted. The grounds for this motion are set forth in Defendants' Memorandum of Law in Support of its Motion, which is being filed contemporaneously herewith.

Counsel met and conferred regarding this Motion; Plaintiff will oppose.

Respectfully submitted,

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Dated: July 5, 2011
1018948 / 36808

*Attorneys for Defendants Amazon.com, Inc.
and Zappos.com Inc.*

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on July 5, 2011, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on July 5, 2011, the attached document was Electronically Mailed to the following person(s):

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